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International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination

Eighty-ninth session

Summary record (partial)* of the 2421st meeting
Held at the Palais Wilson, Geneva, on Monday, 25 April 2016, at 10 a.m.

Temporary Chair: Mr. Walker (Chief, Civil, Political, Economic, Social and Cultural Rights Section, Human Rights Treaties Division)
Chair: Ms. Crickley

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* No summary record was prepared for the rest of the meeting.

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The meeting was called to order at 10.15 a.m.

Opening of the session

1. **The Temporary Chair** (Chief, Civil, Political, Economic, Social and Cultural Rights Section, Human Rights Treaties Division, Office of the United Nations High Commissioner for Human Rights (OHCHR)) declared open the eighty-ninth session of the Committee on the Elimination of Racial Discrimination.

Opening statement by the Director of the Human Rights Treaties Division

2. **Mr. Salama** (Director, Human Rights Treaties Division) welcomed the newly elected Committee members — Ms. Li Yanduan, Mr. Marugán, Ms. McDougall, Ms. Mohamed and Ms. Shepherd — and congratulated Mr. Avtonomov, Mr. Calí Tzay, Ms. Dah and Mr. Murillo Martínez on their re-election. He noted that, with the recent election of new members, the representation of women among the Committee members had risen to 40 per cent for the first time in the Committee's history. He commended that leap towards greater gender parity.

3. The fiftieth anniversary of the adoption of the Convention and the fifteenth anniversary of the Durban Declaration and Programme of Action provided an opportunity to take stock of the progress made and contemplate all that remained to be done to eliminate racial discrimination. Since the Committee's previous session, the topic of racial discrimination had been raised in several important statements given by the High Commissioner for Human Rights, among others.

4. The High Commissioner had publicly warned against hatred and violence and had expressed his concern that rising racist, discriminatory and xenophobic rhetoric was contributing to rising violence and was preventing minorities from obtaining equal opportunities. The High Commissioner had also noted that every country's national interest was best served by working for the common good rather than for divisiveness. The Deputy High Commissioner had said that very little progress had been made in tackling racism, and that instead there was an alarming increase in hate and xenophobic speech across the globe. The Special Rapporteur on minority issues, for her part, had presented a thematic study on minorities and discrimination based on caste and analogous systems of inherited status.

5. The 2030 Agenda for Sustainable Development, adopted by the General Assembly in 2015, emphasized the human rights component of development. The treaty bodies therefore had an unprecedented opportunity to bring human rights to the forefront of sustainable development issues. His Office was working with United Nations partners to develop a strategy for the implementation of the sustainable development goals. In that context, he encouraged the Committee to consider its own possible role in the implementation of the 2030 Agenda for Sustainable Development.

6. Pursuant to General Assembly resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system, States had made a commitment to consider the state of the human rights treaty body system in 2020 and to decide on further action to enhance its functioning. In January 2015, Norway and Switzerland had convened a meeting of States, independent experts and treaty body members, and it was at that meeting that the concept of an independent study to explore options for treaty body reform in the context of the 2020 review had emerged. In June 2015, at the Annual Meeting of Chairpersons of the Human Rights Treaty Bodies, Costa Rica had called for a worldwide academic process to reflect on the future of the treaty body system.

7. In response, the Geneva Academy of International Humanitarian Law and Human Rights had invited a small group of independent researchers to brainstorm different scenarios and to define the parameters for an academic research project entitled the

"Academic Platform Project on the 2020 Review". The academic process was open to all relevant stakeholders, including treaty body members, and a representative of the Geneva Academy would fully brief the Committee on the project during the current session. He reiterated his Office's appreciation of the Committee's valuable work.

Solemn declaration by the newly elected members of the Committee under rule 14 of the rules of procedure

8. In accordance with rule 14 of the rules of procedure, Mr. Avtonomov, Mr. Cali Tzay, Ms. Dah and Mr. Murillo Martinez, re-elected members of the Committee, and Ms. Li Yanduan, Mr. Marugán, Ms. McDougall, Ms. Mohamed and Ms. Shepherd, newly elected members, made the following solemn declaration:

> "I solemnly declare that I will perform my duties and exercise my powers as a member of the Committee on the Elimination of Racial Discrimination honourably, faithfully, impartially and conscientiously."

Election of officers, in accordance with rule 15 of the rules of procedure

Election of the Chair

9. **The Temporary Chair** invited Committee members to nominate candidates for the office of Chair.

10. **Mr. Kut**, seconded by **Mr. Kemal, Ms. McDougall, Mr. Avtonomov, Ms. Hohoueto, Mr. Murillo Martinez, Ms. Shepherd** and **Mr. Marugán**, nominated Ms. Crickley.

11. *Ms. Crickley was elected Chair by acclamation and took the Chair.*

12. **The Chair** said that it was an honour and privilege for her to be chosen by the Committee members at such a challenging time for all who were concerned about racial discrimination globally. While the improvements made over the past fifty years should be acknowledged, she was also conscious of new manifestations of racial discrimination and of the issues faced by migrants and refugees throughout the world. There was a need to consider the intersectionality between racial discrimination and the oppression of women as well as other types of oppression.

13. That day marked the 100th anniversary of the Easter Rising in Ireland. Just as the aim of the participants in that insurrection against colonialism had been for all children of the nation to be cherished equally, her goal was to create some of the conditions in which all men, women and children across the globe could be treated equally. She hoped that by respecting the past and acknowledging and managing the complexities of the present, the Committee could help to create a world free of racial discrimination. The Committee had an important role to play by supporting States in their implementation of the Convention, by supporting other stakeholders involved in the monitoring process, and above all by working to help the people whose lives were blighted by racial discrimination. She looked forward to working with the Committee members to help eliminate such discrimination.

The meeting was suspended at 11 a.m. and resumed at 11.35 a.m.

Election of the Vice-Chairs

14. **The Chair** invited Committee members to nominate candidates for the three posts of Vice-Chair of the Committee.

15. **Mr. Kemal** nominated Mr. Khalaf for the office of Vice-Chair.

16. **Mr. Murillo Martínez** nominated Mr. Cali Tzay for the office of Vice-Chair.

17. **Ms. Dah** nominated Mr. Amir for the office of Vice-Chair.

18. *Mr. Khalaf, Mr. Cali Tzay and Mr. Amir were elected Vice-Chairs.*

Election of the Rapporteur

19. **Mr. Kemal** said that, in the absence of any other member representing Mr. Avtonomov's regional group, he wished to nominate the latter for the office of Rapporteur.

20. *Mr. Avtonomov was elected Rapporteur.*

21. **Ms. Dah** said that she wished to commend the sterling contribution made to the Committee's work by Mr. Cali Tzay, the first indigenous person to have joined and been elected Chair of the Committee.

22. Welcoming the incoming Chair as only the second woman to have been elected to that post, she noted with satisfaction that 40 per cent of the current membership of the Committee were women. She was confident that Ms. Crickley would uphold the high standards of the office of Chair that had been set by her predecessor.

23. **Mr. Yeung Sik Yuan**, associating himself with the tribute paid by Ms. Dah, underlined the intrinsic quality of the work done by the outgoing Chair, Mr. Cali Tzay.

24. He had been moved by the opening remarks of the incoming Chair and recalled the enduring links of friendship between her country and his own.

25. **The Chair** said that Mr. Cali Tzay, the first indigenous person to have been elected to the post of Chair of a United Nations treaty body, had championed an approach based on consensus, negotiation and discussion and had displayed a deep commitment to issues affecting indigenous peoples and other vulnerable groups.

26. She expressed appreciation to the members of the secretariat for their dedication to the Committee's work.

Adoption of the agenda (CERD/C/89/1)

27. **Mr. Kemal** said that he had drawn members' attention, by e-mail, to an issue that needed to be addressed by the Working Group on Early Warning Measures and Urgent Action Procedures.

28. **The Chair** said that the Working Group on Early Warning Measures and Urgent Action Procedures should meet during the course of the next few days. Discussions must be held on the individual communications procedure, the follow-up procedure and focal points.

29. **Mr. Cali Tzay** said that it was necessary to decide on the membership of the Committee's various working groups.

30. **Mr. Kut** said that it was important to set aside sufficient time to discuss a number of issues relating to the follow-up procedure.

31. **The Chair** said that Mr. Kut had previously expressed his willingness to continue to serve as the Special Rapporteur for follow-up on concluding observations and had emphasized the need for other Committee members to become involved in work in that regard. Mr. Bossuyt had indicated his willingness to take on the role of Rapporteur on follow-up to individual communications. She encouraged other Committee members to join the Working Group on individual communications. Discussions on the membership of the Working Group on Early Warning Measures and Urgent Action Procedures should be held within each of the regional groups as soon as possible.

32. **Mr. Avtonomov** said that he supported the nomination of Mr. Bossuyt to the post of Rapporteur on follow-up to individual communications.

33. **Ms. Dah** proposed that a fourteenth item should be added to the provisional agenda to cover any other business.

34. **The Chair** said that she supported Ms. Dah's proposal.

35. *The agenda, as amended, was adopted.*

36. **The Chair** said that outgoing members Mr. Diaconu, Mr. Vázquez, Mr. Lahiri, Ms. January-Bardill and Mr. Huang Yong'an had all made significant contributions to the Committee's work.

37. She added that she wished to place on record the Committee's thanks to the representatives of the various United Nations agencies that would be participating in and providing input to the proceedings of the current session.

The discussion covered in the summary record ended at 11.55 a.m.